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5 **UNITED STATES DISTRICT COURT**  
6 **EASTERN DISTRICT OF WASHINGTON**

7 BARBARA MONTEITH,

8 Plaintiff,

9 vs.

10 COMMISSIONER OF SOCIAL

11 SECURITY

12 Defendant.

No. 1:16-CV-03145-FVS

ORDER ADOPTING AMENDED  
REPORT AND  
RECOMMENDATION TO DENY  
PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT AND  
GRANT DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT

13 **BEFORE THE COURT** is the Amended Report and Recommendation  
14 issued by Magistrate Judge Mary K. Dimke on October 3, 2017, ECF No. 23,  
15 recommending Plaintiff's Motion for Summary Judgment, ECF No. 15, be denied  
16 and Defendant's Motion for Summary Judgment, ECF No. 19, granted. Plaintiff  
17 filed objections to the Amended Report and Recommendation on October 17,  
18 2017. ECF No. 24. Defendant responded to Plaintiff's objections on October 27,  
19 2017. ECF No. 25.  
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1 After reviewing the Amended Report and Recommendation, the objections  
2 and the response, and relevant authorities; the Court finds the Magistrate Judge's  
3 findings are correct. Therefore, the Court adopts the Amended Report and  
4 Recommendation in its entirety. Accordingly, **IT IS ORDERED:**

5 1. Plaintiff's Objections to Magistrate Judge Dimke's Amended Report  
6 and Recommendation, **ECF No. 24**, are **OVERRULED**.

7 2. The Amended Report and Recommendation, **ECF No. 23**, is  
8 **ADOPTED** in its entirety.

9 3. Plaintiff's Motion for Summary Judgment, **ECF No. 15**, is **DENIED**.

10 4. Defendant's Motion for Summary Judgment, **ECF No. 19**, is  
11 **GRANTED**.

12 The District Court Executive is directed to file this Order and forward copies  
13 to the parties. Judgment shall be entered for Defendant and the file shall be  
14 **CLOSED**.

15 DATED November 1, 2017.

16 s/Fred Van Sickle  
17 Fred Van Sickle  
18 Senior United States District Judge  
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